

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

Kimberly B. Owens,

Plaintiff,

vs.

Benson Ford-Mercury, Inc.,

Defendant.

Civil Action No. 8:06-415-HFF-BHH

AMENDED
REPORT OF MAGISTRATE JUDGE

This matter is before the Court on Defendant Benson Ford-Mercury's motion to dismiss and petition to compel arbitration, or in the alternative stay proceedings. In response, the plaintiff now consents to proceed to arbitration and to a stay of this matter pending the outcome of arbitration. The Court has reviewed the parties submissions and accepts the consent of the parties to arbitrate the case and stay this matter.

Wherefore, based upon the foregoing, it is RECOMMENDED that the defendant's motion to compel arbitration and to stay this matter should be GRANTED. The defendant's motion to dismiss, however, should be DENIED.

IT IS SO RECOMMENDED.

s/Bruce H. Hendricks
United States Magistrate Judge

May 17, 2006
Greenville, South Carolina